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AO 241  
(Rev. 01/15)FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

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Apr 10, 2019

PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF  
HABEAS CORPUS BY A PERSON IN STATE CUSTODY

SEAN F. MCAVOY, CLERK

|  |  |   |
|--|--|---|
| United States District Court   |  | District: Eastern Washington  |
| Name (under which you were convicted):<br>Tanawah M. Downing                       |  | Docket or Case No.:<br>4:19-CV-5055-TOR   |
| Place of Confinement :<br>Coyote Ridge Correctional Center, Washington             |  | Prisoner No.:<br>394345   |
| Petitioner (include the name under which you were convicted)<br>Tanawah M. Downing |  | Respondent (authorized person having custody of petitioner)<br>v. State of Washington |
| The Attorney General of the State of: Washington                                   |  |   |

## PETITION

- (a) Name and location of court that entered the judgment of conviction you are challenging:  
Benton County Superior Court, Benton County Washington
- (b) Criminal docket or case number (if you know): 171012444
- (a) Date of the judgment of conviction (if you know): February 13, 2018
- (b) Date of sentencing: February 13, 2018
- Length of sentence: 24 months
- In this case, were you convicted on more than one count or of more than one crime? ☐ Yes ☒ No
- Identify all crimes of which you were convicted and sentenced in this case:  
Domestic Violence Court Order Violation <sup>Refer to A-1</sup>
- (a) What was your plea? (Check one)
 

|  |   |
|--|---|
| <input checked="" type="checkbox"/> (1) Not guilty | <input type="checkbox"/> (3) Nolo contendere (no contest) |
| <input type="checkbox"/> (2) Guilty                | <input type="checkbox"/> (4) Insanity plea                |

(b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to? Not Applicable

(c) If you went to trial, what kind of trial did you have? (Check one)

☒ Jury ☐ Judge only

7. Did you testify at a pretrial hearing, trial, or a post-trial hearing?

☐ Yes ☒ No ☒ Refer to Addendum 2

8. Did you appeal from the judgment of conviction?

☒ Yes ☐ No

9. If you did appeal, answer the following:

(a) Name of court: Court of Appeals of the State of Washington - Division III

(b) Docket or case number (if you know): 35865-8-III

(c) Result: Pending

(d) Date of result (if you know):

(e) Citation to the case (if you know):

(f) Grounds raised: Reversal is required where the trial court erred in permitting Tanawah Downing to represent himself and permitting him to proceed without appointing standby counsel.

(g) Did you seek further review by a higher state court? ☐ Yes ☒ No

If yes, answer the following:

(1) Name of court:

(2) Docket or case number (if you know):

(3) Result:

(4) Date of result (if you know):

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(5) Citation to the case (if you know): \_\_\_\_\_

(6) Grounds raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_(h) Did you file a petition for certiorari in the United States Supreme Court? ☐ Yes ☒ No

If yes, answer the following: \_\_\_\_\_

(1) Docket or case number (if you know): \_\_\_\_\_

(2) Result: \_\_\_\_\_  
\_\_\_\_\_

(3) Date of result (if you know): \_\_\_\_\_

(4) Citation to the case (if you know): \_\_\_\_\_

10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court? ☐ Yes ☒ No

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: \_\_\_\_\_

(2) Docket or case number (if you know): \_\_\_\_\_

(3) Date of filing (if you know): \_\_\_\_\_

(4) Nature of the proceeding: \_\_\_\_\_

(5) Grounds raised: \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☐ No

(7) Result: \_\_\_\_\_

(8) Date of result (if you know): \_\_\_\_\_

(5) Grounds raised:

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No

(7) Result: \_\_\_\_\_

(8) Date of result (if you know): \_\_\_\_\_

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?

(1) First petition: ☒ Yes ☐ No

(2) Second petition: ☐ Yes ☐ No

(3) Third petition: ☐ Yes ☐ No

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not:

The State of Washington<sup>①</sup> does not have jurisdictional authority<sup>②</sup> to decide on United States Constitution<sup>③</sup> matters, which are outside its jurisdictional or statutory governing limits.<sup>④</sup>

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

**CAUTION:** To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

**GROUND ONE:** I am currently illegally and unlawfully imprisoned as a result of the abrogation of my federally conferred Constitutional rights by the State of Washington and its willful defiance of the established procedures and processes set forth by the U.S. Constitution,

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

The 5<sup>TH</sup> Amendment<sup>⑤</sup> to the United States Constitution guarantees that, "No person shall be held to answer for a capital or otherwise infamous crime<sup>⑥</sup>, unless on the presentment or indictment<sup>⑦</sup> of a Grand Jury<sup>⑧</sup>." Article I, Section 26 of the Washington State Constitution states, "No grand jury<sup>⑩</sup> shall be drawn or summoned in any county, except the superior judge thereof shall order," which directly contradicts<sup>⑪</sup> the United States Constitution and the Laws of the U.S.,<sup>⑫</sup> as well as violates the duly established procedures and processes of the Law.<sup>⑬</sup> As a result of the States willful defiance of the due process for the adjudication of Crimes<sup>⑭</sup>, no bill of indictment<sup>⑮</sup> has been brought against me therefore, my arrest, my conviction and my imprisonment are all illegal.

(b) If you did not exhaust your state remedies on Ground One, explain why: My rights<sup>⑯</sup> as a United States Citizen<sup>⑰</sup> are guaranteed<sup>⑱</sup> to me by the United States Constitution therefore, the court with jurisdictional authority to decide whether to enforce or deny me of such a right is a court of federal jurisdiction. As long as the State of Washington is acting in willful defiance of the federally established procedures or processes<sup>⑲</sup> for the adjudication of Crimes<sup>⑳</sup>, its acts resulting in the willful deprivation of life, liberty or property<sup>㉑</sup> can only be resolved through the petition<sup>㉒</sup> of grievances to the authority providing such inalienable rights.<sup>㉓</sup>

(c) **Direct Appeal of Ground One:**(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No(2) If you did not raise this issue in your direct appeal, explain why: The State of Washington does not have the jurisdictional authority to decide on United States Constitution<sup>(25)</sup> matters, which are outside it's jurisdictional or statutory governing limits.(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One: There are no remedies or alternate procedures as long as the State is acting in willful defiance of federal processes and statutes.

**GROUND TWO:** I am currently illegally and unlawfully imprisoned as a result of the abrogation of my federally conferred Constitutional rights by the State of Washington and its willful defiance of the established procedures and processes set forth by the U.S. Constitution.

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Article IV, Section 2, of the United States Constitution guarantees that, "The citizens of each state shall be entitled to all privileges and immunities of Citizens in the several states." Article VI of the United States Constitution provides that, "This Constitution and the Laws of the United States... shall be the supreme Law of the Land and the Judges in every State shall be bound thereby any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." The State of Washington is acting in willful defiance of federal statutes by denying its residents the same Constitutionally guaranteed rights for due process of the Law that are available to residents of the several states. Therefore, my Constitutional rights have been violated and my arrest, my conviction and my imprisonment are all illegal.

(b) If you did not exhaust your state remedies on Ground Two, explain why: The State of Washington has abrogated my federally conferred Constitutional rights therefore, no state court has jurisdictional authority to adjudicate this matter, because states do not have the jurisdictional authority to rule on issues outside of their limited jurisdictional or statutory governing authority.

(c) **Direct Appeal of Ground Two:**

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No

(2) If you did not raise this issue in your direct appeal, explain why: The State of Washington does not have the jurisdictional authority to decide on United States Constitution matters, which are outside its jurisdictional or statutory governing limits.

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_



Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

- (e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two: There are no remedies or alternate procedures as long as the State is acting in willful defiance of federal processes and statutes.

**GROUND THREE:** I am currently illegally and unlawfully imprisoned as a result of the abrogation of my federally conferred Constitutional rights by the State of Washington and its willful defiance of the established procedures and processes set forth by the U.S. Constitution.

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

The 13<sup>TH</sup> Amendment to the United States Constitution provides that, "Neither slavery<sup>(43)</sup> nor involuntary servitude<sup>(44)</sup>, except as a punishment for crime whereof the party shall have been duly convicted<sup>(46)</sup>, shall exist within the United States, or any place subject to their jurisdiction<sup>(47)</sup>." Because due process of the law was ignored<sup>(47)</sup> and the State abrogated my federally conferred inalienable rights, I have not been duly convicted of any crimes and as a result, my enslavement and placement into involuntary servitude under Washington DOC is in direct violation of my 13<sup>TH</sup> Amendment Constitutional rights.

(b) If you did not exhaust your state remedies on Ground Three, explain why: The State of Washington has abrogated my federally conferred Constitutional rights therefore, no state court has jurisdictional authority to adjudicate this matter, because States do not have jurisdictional authority to rule on issues outside of their limited jurisdictional or statutory governing authority. Since the United States Constitution is the originator of my inalienable rights, only a United States Court has the jurisdictional authority to decide whether to enforce or deny a United States Citizen of his Constitutional guarantees.

(c) **Direct Appeal of Ground Three:**

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No

(2) If you did not raise this issue in your direct appeal, explain why: The State of Washington does not have the jurisdictional authority to decide on United States Constitution matters, which are outside its jurisdictional or statutory governing limits.

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

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- (e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three: There are no remedies or alternate procedures as long as the State is acting in willful defiance of federal<sup>(51)</sup> processes and statutes.

**GROUND FOUR:** I am currently illegally and unlawfully imprisoned as a result of the abrogation of my federally<sup>(52)</sup> conferred Constitutional rights by the State of Washington and it's willful defiance of the established procedures and processes set forth by the U.S. Constitution.<sup>(53)</sup>

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

In light of the complete disregard of my 5<sup>th</sup> Amendment rights<sup>(54)</sup> by the State of Washington and in the absence of compliance with the due process of law, no bill of indictment<sup>(55)</sup> has been brought against me making all charges against me fraudulent and illegal.<sup>(56)</sup> Therefore, my arrest, my conviction and my imprisonment are also illegal. The willful deprivation of my life, liberty and property by the State of Washington are now in violation of my 14<sup>th</sup> Amendment Constitutional rights, which provide that, "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States." The State of Washington had no legal authority to establish Article I, Section 26, of it's Constitution without violating the Laws of the United States<sup>(58)</sup> and the rights of it's Citizens.<sup>(57)</sup>

(b) If you did not exhaust your state remedies on Ground Four, explain why:

My rights as a United States Citizen are guaranteed to me by the United States Constitution therefore, the only court with jurisdictional authority to decide whether to enforce or deny me of such a right is a court of federal jurisdiction.

(c) **Direct Appeal of Ground Four:**

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No

(2) If you did not raise this issue in your direct appeal, explain why: The State of Washington does not have the jurisdictional authority to decide on United States Constitution matters, which are outside it's jurisdictional or statutory governing limits.

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

- (e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: There are no remedies or alternate procedures as long as the State is acting in willful defiance of federal processes and statutes. I have Constitutional guarantees, but a guarantee ceases to be a guarantee the moment that it is no longer guaranteed. A guarantee can not only be guaranteed part of the time, or only guaranteed until the guarantee is needed, because that is not a guarantee, rather a lie. <sup>(6)</sup>

13. Please answer these additional questions about the petition you are filing:

- (a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction? ☒ Yes ☐ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not

presenting them: No State court has jurisdiction as long as the State of Washington is acting in willful defiance<sup>(c)</sup> of the federally established procedures or processes for the adjudication of crimes. Therefore, it's acts resulting in the willful deprivation of life, liberty and property can only be resolved through the Petition of grievances to the authority providing such inalienable rights.

- (b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:

No grounds herein have been raised at state level, as the state have no jurisdictional authority over federal Constitutional matters. This petition and all grounds herein raised represents my first attempt to received federal relief from the willful deprivation of my life, my liberty and my property by the State of Washington<sup>(c)</sup> without due process of the Law.

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? ☐ Yes ☒ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available.

15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? ☒ Yes ☐ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

Court of Appeals of the State of Washington - Division III, # 35865-8-III, Direct Appeal, "Reversal is required where the trial court erred in permitting Tanawah Downing to represent himself and permitting him to proceed without appointing standby counsel."

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16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: State of Washington does not employ a preliminary hearing, as "no Grand Jury shall be drawn or summoned in any county."

(b) At arraignment and plea: Self, pro se

(c) At trial: Self, pro se

(d) At sentencing: Self, pro se

(e) On appeal: Valerie Marushige, 23619 55<sup>TH</sup> Place South, Kent, WA 98032

(f) In any post-conviction proceeding: \_\_\_\_\_

(g) On appeal from any ruling against you in a post-conviction proceeding: \_\_\_\_\_

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? ☐ Yes ☒ No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future: \_\_\_\_\_

(b) Give the date the other sentence was imposed: \_\_\_\_\_

(c) Give the length of the other sentence: \_\_\_\_\_

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? ☐ Yes ☐ No

18. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.\*

Not Applicable

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\* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2244(d) provides in part that:

- (1) A one-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of -
  - (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
  - (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such state action;
  - (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
  - (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

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- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief: The State of Washington has denied me my Constitutional rights therefore, I request the federal government to intervene and uphold the rights of one United States Citizen in order to preserve the Constitutional rights of all United States Citizens because, any freedom which can be removed from one, can be removed from all and is no longer a freedom but an illusion of freedom.  
or any other relief to which petitioner may be entitled.

Pro Se

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on \_\_\_\_\_ (month, date, year).

Executed (signed) on April 8, 2019 (date).

— m. —

Signature of Petitioner

If the person signing is not petitioner, state relationship to petitioner and explain why petitioner is not signing this petition.

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## Addendum's

A-1~A-3 -- Addendum's

- 1) A-1 -- Addendum 1
- 2) A-21~A2-5 -- Addendum 2
- 3) A-3 -- Addendum 3

A-1

## No Contact Order, Superior Duty

I have a superior right to communicate with my wife, as that issue of morality derives from God and not from man. I assert to maintain the values of God and the divine instructions of my Creator, in that, "Let no man separate that which God has joined together." Therefore, the right of marital communication is not rather a right, but a duty, as it is assigned by God, conveyed to man and demanded obedience under the confines of one's loving commitment to another, as well as one's loving commitment to our Creator. I cannot, in good faith and conscience, obey the commandments of my Creator and fulfill my duties and obligations as a husband and father, without disobeying the unwarranted and unjustified commandments of my fellow man. It is therefore, my most solemn and firm decision to uphold and remain faithful to my God and my Creator and the Oaths made to Him, as those Oaths effect not only my existence here, but my eternal existence as well, and that Oath made to God and to my chosen partner, shall remain in full effect until such time as God or death has released me of such obligation. This is not a matter of defiance, rather a matter of conscience; of morality; of State's intrusion and ability to control the lives, the Oaths and the religious practices of it's citizens. The question is, shall a state govern a God? I say, let it not be so. Therefore I say with great resolve and renewed commitment, Give me Love or Give me Death!

## Addendum 2 - Alexander Eckstrum

The trial judge, Alexander Eckstrum, denied me my Constitutional rights to testify, present evidence and confront my accusers during the trial, despite my numerous attempts to inform him of his Criminal behavior. This occurred in front of 12 of my friends from church, who were present in the audience. Four times, I informed and warned the trial judge that he was breaking the Law and all four times he responded by saying that the State of Washington makes him immune and sovereign and provides the protection of absolute immunity from his criminal conduct. After the fourth warning that I gave him pertaining to his crimes, he chose to "knowingly and willingly" continue in his criminal misconduct therefore, I had no choice but to defend myself and my family against his malicious judicial persecution, by ordering his arrest under Citizen's Arrest authority for the felony's which he had then committed in my presence. He had no authority to willfully deprive me of my federally conferred Constitutional rights.

The moment in which Mr. Eckstrum engaged in criminal behavior, he was no longer fit to continue in his Office, in accordance with the Laws of the United States Constitution. Mr. Eckstrum and the prosecutor, Dianne Ruff, have since the trial, entered into a Conspiracy to Obstruct Justice and have committed numerous additional crimes in order to conceal their criminal misconduct.

I have rights, as does every other free American and no one has the authority to rob me of such rights. I would like the court to send federal investigators to meet with me so that

A2-2

I can point them to the applicable witnesses and available evidence for these very disturbing and intentional acts of tyranny and oppression perpetrated by Officer's of public trust and in direct violation of the faithful duties and Oaths of those Offices. To abuse one's power and engage in willful criminal conduct brings dishonor upon one's self, but to cower behind the very object which affords you your power's in order to justify one's criminal behavior, brings dishonor upon both that object and the constituents of whom it represents.

Mr. Eckstrum's refusal to enforce the Body of Laws which govern this nation, is an act of treason and as an agent of the State of Washington, his decisions represent a most grievous position that the State has now taken against the nation and the Laws it has prescribed. His immunity applies only to civil liability, as the doctrine of Master/Servant places willful and negligent damages of third persons, by agents upon the agents master (in this case, the State of Washington). However, in accordance with the United States Supreme Court decision in *Imbler v. Pachtman*, "even judges, cloaked in absolute civil immunity for centuries, can still be held criminally liable for willful deprivations of Constitutional rights," therefore he has no immunity for the crimes of obstruction of justice, conspiracy and witness intimidation, to name just a few of the crimes committed against me. The moment that I ordered a legal and lawful arrest for his criminal misconduct, he ceased to be a judge, as he was no longer in Good Behavior, thereby making everything after that point, including my conviction, my sentencing and



A2-3

my imprisonment illegal, as the person overseeing the conviction and ordering the sentencing no longer had the authority to perform such acts. All of this information, and much more, can be verified by reviewing the audio recording from the trial, obtaining the original court transcriptions (before they were fraudulently altered in order to conceal the criminal misconduct) and/or the testimony of the 12 jurors or 12 other witnesses who were present in the courtroom on the day of my trial.

Let me be clear, I am not trying to change the Laws, rather I am pointing out what the Laws state and that the ways in which they are being enforced directly contradict with what is specified, therefore I am not trying to change the Laws, I am asking to uphold them. If the laws state that something will be done, in a certain way, then we must follow that way. Laws do not change arbitrarily, that is tyranny. Constitutionalism demands that the laws evolve only through suffrage, therefore it is up to the people to decide whether or not the United States Constitution applies to them and not a judge or a State.

Our country has made many mistakes, but I am proud to know that we have resolved to learn from each of them in order to be better and stronger as a result of them. We now stand at the precipice of yet another major crossroads for our country. Will we choose the path of our ancestors or will we choose

A2-4

a new path of our own? A Christian nation can only be a Christian nation if it follows the ways of Christ. Long ago, I chose the high road, because I love my country and I knew that if this was not dealt with peacefully, destruction would occur and destruction should never be an optional outcome for anything that is loved. My path I have chosen, following him is my way, come with me, let's pave our way to greatness. Let's show the world what a truly United nation looks like. We need not find someone to blame before we head down the path of restoration. We rebuild together, side-by-side, united in prayer, strengthened by forgiveness and guided by his divine light. There is no other way.

The Bedrock of our nation, the very foundation of our strength and the answer to our problems lies in a gift, a gift given to U.S. at our inception, given to U.S. by and endowing each of us with life. The only demand made of U.S. ensuring the blessings of heaven and the prosperity of our future was faith; faith in him and faith in his system. So it should come as no surprise, the truth, it should not be shocking, When we turn from Him, our troubles begin, He is the source of our protection. A nation filled with sin, must destroy the evil within, if it expects the Smiles of Heaven. This is a wakeup call, one which I do believe will be heard by a truly great and powerful nation loved and protected by it's Creator

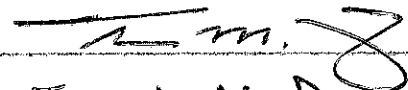
A2-5

and strengthened by United faith.

I remain, patiently waiting, believing in the Justice System and faithful that it still works, because if not, then God help us all!

Signed this 9<sup>TH</sup> day of April, 2019.

Respectfully & Peacefully  
a Servant of Justice,

  
Tanawah M. Downing

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## Addendum III

### ⊗ Amendment V - United States Constitution

"No person shall be held to answer for a capital or other-wise infamous crime, unless on a presentment or indictment of a Grand Jury."

### ⊗ Article I, Section 26. - WA Constitution

"No Grand Jury shall be drawn or summoned in any county, except the superior judge thereof shall order."

### ⊗ Article VI - United States Constitution

"This Constitution and the Laws of the United States shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

"All executive and judicial officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution."

① Supremacy Clause: Article VI of the United States Constitution declaring that the Constitution of the United States is the "supreme Law of the Land" and enjoys legal superiority over any conflicting provision of a State constitution or laws.



## Footnote and Supplemental Data

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# Appendix of Supplemental Data

- ① Nonsovereign State
- ② Article III, Section 2. - United States Constitution
- ③ United States Constitution
- ④ Limited Government
- ⑤ Grand Jury Clause
- ⑥ Constitutional Guarantee
- ⑦ Infamous Crime - Supreme Court's Interpretation
- ⑧ Indictment
- ⑨ Grand Jury
- ⑩ Need for Grand Juries
- ⑪ Supremacy Clause
- ⑫ Infamous Crime - 18 U.S.C. §4083
- ⑬ Criminal Procedure & Due Process
- ⑭ Inalienable Rights
- ⑮ Bill of Indictment
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- ⑰ Amendment XIV - United States Constitution
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- ⑲ Magna Carta Interpretation of Due Process of Law
- ⑳ When freedom is robbed from those who are free
- ㉑ Tyranny
- ㉒ Article I, Section 9. - United States Constitution
- ㉓ Amendment I - United States Constitution
- ㉔ Declaration of Independence - United States of America
- ㉕ Article III, Section 1. - United States Constitution
- ㉖ Purpose of a Constitution
- ㉗ Amendment V - United States Constitution

- (28) Thomas Jefferson's definition of Federalism
- (29) Amendment XIV - United States Constitution
- (30) Due Process Clause
- (31) The word Constitute
- (32) Privileges and Immunities Clause
- (33) United States of America
- (34) Sovereign State
- (35) Supremacy Clause
- (36) Article III, Section I. - United States Constitution
- (37) Oath or Affirmation Clause
- (38) Incorporation
- (39) Preemption
- (40) Bill of Rights
- (41) A man hath rights
- (42) Bordenkircher v. Hayes
- (43) Beck v. Ohio
- (44) Involuntary Servitude
- (45) Duly
- (46) Federal Government
- (47) Ignorantia Juris Non Excusat
- (48) Article I, Section I. - United States Constitution
- Article I, Section 8. - United States Constitution
- Article V. - United States Constitution
- (49) Plessy v. Ferguson
- (50) Amendment XIV - United States Constitution
- (51) Federal
- (52) Federalism
- (53) Federal Law

- (54) Equal Protection Clause
- (55) Bill of Indictment
- (56) True Bill
- (57) Imbler v. Pachtman
- (58) Amendment XIV - United States Constitution
- (59) Immunities
  - 1) Absolute Immunity
  - 2) Judicial Immunity
  - 3) Prosecutorial Immunity
- (60) Justice
- (61) Perjury & Judicial Oath
- (62) Obstruction of Justice
- (63) Perverting the Course of Justice
- (64) John F. Kennedy and the men who founded our nation

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# Supplemental Data

- ① Nonsovereign State: A state that is a constituent part of a greater state that includes it and 1 or more others and to whose government is a subject. A state that is not complete and self existant. Among other things, a nonsovereign state has no power to engage in foreign relations.
- ② Article III. Section 2. - United States Constitution  
"The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution."
- ③ United States Constitution: The 1787 document ratified by the original 13 colonies to reform and restructure the national government and establish the relationship between the federal government and the states collectively and the relationship with the individual states.
  - 1) Constitutions are mainly devices used for establishing Rights and limiting Powers.
- ④ Limited Government: A system, usu. Constitutionally based in which the reach of a government is purposely restricted so that the government has minimal ability to abridge the people's civil rights.
  - 1) The Constitution of the United States establishes limited government by imposing positive restraints on the Federal government and the States. In some matters,



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the individual is protected against the Federal government, in others against the State and still in others against both. These limitations are not merely political theories or vague declarations of rights; they are rules expounded and applied by the courts, enforced by proper executive authorities and respected as a creed.

⑤ Grand Jury Clause: The clause of the 5<sup>TH</sup> Amendment to the United States Constitution requiring an indictment by a Grand Jury before a person can be tried for a serious offense.

⑥ Constitutional Guarantee: A promise contained in the United States Constitution that supports or establishes an inalienable right such as the right to due process.

⑦ Supreme Courts interpretation of the Constitutional requirement of an indictment for infamous crimes:

1) United States v. Cochran (1985)

"An offense, other than criminal contempt, must be prosecuted by an indictment if it is punishable: A) by death; or B) by imprisonment of more than 1 year."

2) Mackin v. United States

"Infamous crimes are crimes punishable by imprisonment in a penitentiary."

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3) United States v. Moreland

"The sentence that the Law may impose, not the sentence actually imposed, determines whether a grand jury indictment is required."

4) United States Law - 18 U.S.C. § 4083

"An infamous crime is any crime punishable by more than 1 year imprisonment in a penitentiary."

⑧ Indictment: The formal written accusation of a crime, made by a Grand Jury and presented to a court for prosecution against the accused person.

Indict: To charge (a person) with a crime by formal legal process; esp. by Grand Jury presentation.

⑨ Grand Jury: A body of 16-23 people who decide whether to issue indictments.

1) Fed. Crim. P. 6 and Fed. Crim. P. 7

⑩ Grand Juries determine if there is sufficient probable cause to assume that a crime has been committed and protects citizen's from unfounded prosecutions.

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1) United States v. Cotton

"Grand Juries serve a vital function as a check on prosecutorial power."

2) U.S. 441 F.3d 44

"Grand Juries investigate criminal allegations and protect citizens against prosecutorial misconduct."

3) U.S. 781 F.2d 238

"Grand Juries secure person's against arbitrary or oppressive action."

4) United States v. Suarez

"Grand Juries are defendant's main protection against unfounded criminal charges."

5) United States v. Caruto

"Grand Juries act as primary security to the innocent against hasty, malicious and oppressive persecution."

6) Durham v. Horner

"Grand Juries determine probable cause and provide basis for trial."



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7) United States v. Coachman

"Grand Juries shield the accused from unjust prosecution by indicting only upon probable cause."

8) U.S. 286 F.3d 153

"Grand Juries act as buffers between the people and the government."

9) United States v. Erickson

"Grand Juries are investigatory bodies charged with the responsibility of determining whether or not a crime has been committed."

10) United States v. York

"Grand Juries are not merely investigative bodies, but also exist for the protection of citizen's against unfounded criminal prosecutions."

⑪ Supremacy Clause: Article VI of the United States Constitution declaring that the Constitution of the United States is the "supreme Law of the Land" and enjoys legal superiority over any conflicting provision of a State constitution or laws.

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⑫ 18 U.S.C. § 4083

"An infamous crime is any crime punishable by more than 1 year imprisonment in a penitentiary."

⑬ Criminal Procedure: The rules governing the mechanisms under which crimes are investigated, prosecuted, adjudicated and punished. It includes the protection of accused person's Constitutional rights.

Due Process: The conduct of legal proceedings according to established rules and principals for the protection and enforcement of private rights.

⑭ The rights of life, liberty and property so fundamentally important as to require compliance with due process standards of fairness and justice.

⑮ Bill of Indictment: An instrument presented to a Grand Jury and used by the jury to declare whether there is enough evidence to formally charge the accused of a crime.

⑯ Constitutional Right: A right guaranteed by the Constitution.

Fundamental Constitutional Right: A right that is specifically identified in the Constitution or has been found to be protected under the Due Process or Equal Protection Clauses.

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⑪ Amendment XIV - United States Constitution

"All persons born or naturalized in the United States and subject to the jurisdiction thereof, are Citizens of the United States and the State wherein they reside."

⑫ A guarantee ceases to be a guarantee the moment that it is no longer guaranteed. A guarantee can not only be guaranteed part of the time, or only guaranteed until the guarantee is needed because that is not a guarantee, rather a lie.

⑬ The words "Due Process of Law" were no doubt intended to convey the meaning as the words "By the Law of the Land." - Magna Carta

⑭ That no freeman ought to be taken, imprisoned, disseized of his freehold, liberties, privileges or franchises, or outlawed, or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the Law of the Land.

⑮ Tyranny: The severe deprivation of a natural right by a ruler wielding power unjustly and arbitrarily to oppress the citizenry.

⑯ Article I. Section 9. - United States Constitution

"The privilege of the Writ of Habeas Corpus shall not be suspended."

### (23) Amendment I - United States Constitution

"Congress shall make no law abridging the right of the people to peaceably assemble and to petition the government for a redress of grievances."

### (24) Declaration of Independence - United States of America

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

### (25) Article III. Section 1. - United States Constitution

"The judicial power of the United States, shall be vested in one supreme Court and in such inferior Courts as the Congress may from time to time ordain and establish."

1) All courts are inferior to the supreme Court. Therefore, the established procedures and processes of the superior Court (Supreme) must be followed, otherwise the inferior courts obtain superiority and the Supreme Court can no longer enjoy Supremacy over the inferior courts.

2) If inferior courts have the authority to deny the rights guaranteed by the Supreme Court, then the Supreme Court is no longer supreme, as the inferior court assumes greater authority.

26) Constitutions are mainly devices used for establishing Rights and limiting Powers. Constitutionalism advances naturally, together with the expansion of suffrage rights and democratization.

27) Amendment V - United States Constitution

"No person shall be deprived of life, liberty or property without due process of law."

28) "Federalism is not about any single state or small faction of states imposing their will on the Nation. It is about states serving, in the aggregate, as an essential buffer between the central government and the people." - Thomas Jefferson

29) Amendment XIV - United States Constitution

"No state shall deprive any person of life, liberty or property, without due process of Law."

30) Due Process Clause: The Constitutional provision that prohibits the government from unfairly or arbitrarily depriving persons of life, liberty or property.

31) The word "Constitute," which is the root word for our Constitution means, "To bring together, to set up, in harmony with a political," it derives from Latin; "To place together." By definition, it implies agreement and harmony, a willingness to comply with certain social and communal values. So what happens when that harmony is disturbed? According to the



evolution of a Constitution, advancement or progression of relationship (laws) occurs through suffrage rights (voting). But voting is a function of the constituency and not the individual. Advancement does not occur arbitrarily; it is the result of majority opinion, as to prevent loss of harmony. Individual authority to violate that which has been constituted is neither granted nor implied, as such authorization would be detrimental to the sustainability and stability of such Constitution. We cannot allow individual infringement upon majorities and agreed upon code of conduct. Such behavior is contrary to the intended goal of a Constitution, which is to provide true liberty and freedom to the constituents governed by the societal relationships established by the majority. True freedom exists only in the absence of power. Power is the mechanism utilized to remove or limit liberty therefore, my freedom is robbed when your power's are exercised. That is why Constitutions' primary purpose is to, "establish rights, but limit powers", as this is the basis for any country claiming to be free.

③② Privileges and Immunities Clause: The Constitutional provision prohibiting a state from favoring or discriminating against citizens.

③③ United States of America: A federal republic formed after the late 18<sup>TH</sup> century War of Independance and made up of 48 conterminous states, plus the state of Alaska, plus the state of Hawaii in the Pacific.

- (34) Sovereign State: A state that possesses an independent existence, being complete in itself, without being merely part of a larger whole to whose government it is subject.
- (35) Supremacy Clause: Article VI of the United States Constitution declaring that the Constitution of the United States is the "supreme Law of the Land" and enjoys legal superiority over any conflicting provision of a State Constitution or laws.
- (36) Article III, Section 1, - United States Constitution
- "The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior."
- Good Behavior: A standard by which judges are considered fit to continue their tenure, consisting in the avoidance of criminal behavior.
- (37) Oath or Affirmation Clause: The clause of the United States Constitution requiring members of Congress and the State Legislators and all members of the executive or judicial branches - State or local to pledge an oath or affirmation to support the United States Constitution.
- 1) The person making the oath implicitly invites punishment if the statement is untrue or if the promise is broken. The legal effect of an Oath is to subject the person to penalties of the crime of perjury if the testimony is false.

- ③⑧ Incorporation: The process of applying the provisions of the Bill of Rights to the states by interpreting the 14<sup>TH</sup> Amendment Due Process Clause as encompassing those provisions.
- ③⑨ Preemption: The principal (derived from the Supremacy Clause) that a federal law can supercede or supplant any inconsistent state law or regulation.
- ④① Bill of Rights: A section in the Constitution (First 10 Amendments) guaranteeing that governmental powers will not be used in certain ways.
- ④① That in all criminal and capital persecutions, a man hath a right to demand the cause and nature of his accusations, to be confronted with the accusers and witnesses, to call for evidence and to be allowed counsel in his favor and to a fair and speedy trial by an impartial jury.
- ④② Bordenkircher v. Hayes
- "To punish a person because he has done what the Law plainly allows him to do is a due process violation of the most basic sort."
- ④③ Beck v. Ohio
- "Probable cause may not be established simply by showing that the officer who made the challenged arrest or search subjectively



believed he had grounds for his action."

"If subjective good faith alone were the test, the protection of the Fourth Amendment would evaporate and the people would be 'secure in their persons, houses, papers and effects' only in the discretion of the police."

Subjective: Based on an individual's perceptions, feelings or intentions.

④③ Slavery: A situation in which one person has absolute power over the life, fortune and liberty of another. The practice of keeping individuals in such a state of bondage.

Slave Labor: Work for which one is paid an unfairly small amount of money.

④④ Involuntary Servitude: The condition of one forced to labor, for pay or not, for another by coercion or imprisonment.

④⑤ Duly: In a proper manner; in accordance with legal requirements.

④⑥ Federal Government: A national government that exercises some degree of control over smaller political units that have surrendered some degree of power in exchange for the rights to participate in national political matters.

(47) Ignorantia Juris Non Excusat: (Ignorance is not an excuse) Lack of knowledge about a legal requirement or prohibition is never an excuse to a criminal charge.

(48) Article I. Section 1. - United States Constitution

"All legislative Powers herein shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Article I. Section 8. - United States Constitution

"The Congress shall have the Power To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested by this Constitution."

Article V. - United States Constitution

"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution."

Legislative Branch: The division of government responsible for creating, amending or destroying Laws.

Legislation: The process of making or enacting positive laws in written form, according to some type of formal procedure, by a branch of government constituted to perform this process.

1) The Legislative Branch cannot transfer the power of making laws to any other hands.

(49) Plessy v. Ferguson - Justice John Marshall Harlan

"Our Constitution is color-blind and neither knows nor tolerates classes among citizens. In respect to civil rights, all citizens are equal before the Law."

(50) Amendment XIV - United States Constitution

"No state shall deny to any person within its jurisdiction the equal protection of the Laws."

1) Laws can only be legitimate if they can be described as just and equal.

(51) Federal: Of, or relating to, or involving a system of associated governments with a vertical division of governments into national and regional components having different responsibilities; esp. pertaining to the national government of the United States.

(52) Federalism: The legal relationship and distribution of power of between the national and regional governments within a federal system of government and in the United States particularly, between the federal government and the state governments.

(53) Federal Law: The body of law consisting of the United States Constitution, federal statutes and regulations, U.S. Treaties and federal common law.

(54) Equal Protection Clause: Fourteenth Amendment of the United States Constitution guaranteeing that the government must treat a person or class of persons the same as it treats other person's or class's in like circumstances.

(55) Bill of Indictment: An instrument presented to a Grand Jury and used by the jury to declare whether there is enough evidence to formally charge the accused of a crime.

(56) True Bill: A Grand Juries notion that a criminal charge should go before a petty jury for trial.

(57) Imbler v. Pachtman

"This court has never suggested that the policy considerations which compel civil immunity for certain government officials also place them beyond the reach of the Criminal Law. Even judges, cloaked with absolute civil immunity for centuries, could still be punished criminally for willful deprivations of Constitutional rights."

(58) Amendment XIV - United States Constitution

"No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

## 59) Immunities

1) Absolute Immunity: A complete exemption from civil liability, usually afforded to officials while performing particularly important functions, such as representatives enacting legislation and judges.

2) Judicial Immunity: The immunity of a judge from civil liability arising from the performance of judicial duties.

3) Prosecutorial Immunity: The absolute immunity of a prosecutor from civil liability for decisions made and actions taken in a criminal prosecution.

60) Justice: The fair treatment of people. The fair and proper administration of laws.

61) Perjury: The act or instance of a person deliberately making material false or misleading statements while under oath; esp. the willful utterance of untruthful testimony under oath or affirmation.

### Judicial Oath:

"I, — —, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; that I will faithfully discharge the duties of the office on which I am about to enter. So help me God."



(62) Obstruction of Justice: Interference with the orderly administration of Law and Justice, as by giving false information or withholding evidence from a police officer, prosecutor or jury, or by harming or intimidating witnesses or jurors.

1) Obstruction of Justice is a crime in most jurisdictions.

2) The goal to proscribe every willful act of corruption, intimidation or force which tends in any way to distort or impede the administration of Law, either civil or criminal.

(63) Perverting the Course of Justice: The skewing of the disposition of legal proceedings, as by fabricating or destroying evidence, witness tampering, witness threatening or witness intimidating.

(64) John F. Kennedy

"This nation was founded by men of many nations and backgrounds. It was founded on the principle that all men are created equal and that the rights of every man are diminished when the rights of one man are threatened. The heart of the question is, whether we are going to treat our fellow Americans as we want to be treated?"



Letter of Introduction

LI-1~LI-6-- Letter of Introduction

LI-1

To whom it may concern,

Two hundred and forty two years ago, a great and powerful nation was established, through the faith and fury of God, in defiance to acts of oppression and abuse, which are contrary to the natural fruits of freedom. As a result, great men arose, awake to a new vision, a free one, where all citizens are bestowed certain inalienable rights, from and by our Creator. Life, liberty and the pursuit of happiness are not simply terms that are extended to the wealthy, they are not table scraps that are fought for, as they fall from the table of the successful, NO! They are freedoms that are bestowed to all, regardless of age, race, wealth, intelligence or history. It's the ability to visualize a dream of one's future and the power to then manifest such a future. Success and failure is upon the individual and not the government. Limitations come simply from a person's inability to dream or the sins of oppression.

Today, we call these men great, hero's, forefathers and Patriots and they have become symbols of our pride and aspirations. George Washington, Thomas Jefferson, James Madison and so many more who are worthy of our mention and obliged to our eternal gratitude. But the story could so easily have been different, for before these great men were called Patriots, they were called criminals, rebels and tyrants. Their vision was dismissed and their cause was laughed at, but they knew something that noone else did, they

LI-2

had a power that none of their enemies understood. It was the power of God and Truth. Indeed, our nation was founded by rebels and today, by delivery of this notice and the presentation of irrefutable, reasonable, sound, just and clear violations of the rights bestowed upon us by the United States Constitution and as designed by our Creator, new rebels have now emerged. But not to destroy a nation, instead to work together to bring about positive change and correct the flaws in our foundation so that no more will justice not prevail, no more will the innocent be punished, that we will return to the roots of our nations freedoms and the source of our once great hope: that God Almighty is the only true and righteous judge and that in His glory and in His power, guilt and innocence can be ascertained.

The petitioners included in this written allegation are not only witnesses to these atrocities, but each and every single one of them have also been victim to them many times, but we are all very proud to claim that the blood of those rebels, who fought to earn our freedoms 242 years ago, is the very same blood running through all of our veins. So you can call us rebels, you can call us criminals, history however will call us Patriots!

United we stand but divided we fall. A great division has been placed across our nation weakening our greatness and threatening our very existence. Am I not your brother? Has not God commanded your forgiveness and His vengeance?

LI-3

Is not your crimes perpetrated against me, not equal to the allegations of the very same crimes perpetrated by me?

How can one claim the right and ability to judge me for an action to which the judge himself holds more guilt, yet refuses to cleanse himself first? My brother, first remove the plank in your own eye and then you will see clearly to remove the speck in my eye, you say that you want to judge, seek first judgement of your own house and then you will be qualified to help cleanse mine.

With great power comes great responsibility, what is easy is not necessarily what is right and what is right can sometimes seem wrong, but with God all things are possible and with the Law, the correct path is now illuminated. This path will not be easy, there will be much work demanded and many apologies will have to be offered and that will take much courage, but where courage and its product transpires, strength will inversely come. That strength is the image of forgiveness and not vengeance, the strength to heal a divided nation, because of the glorious gift of a new life that God has given to us. To no longer be bound by the sins of our past and accept the freedom of our futures. To truly be able to turn away from our old sinful lives because sin no longer has its hold on us, is precisely the recipe that God has prepared in order for the courage and the strength needed to produce this amazing future for our Country to now come about.

Change does not come without reason, reason does not



LI-4

come without wisdom and wisdom does not come without mistakes. For a tree to grow, a seed must first die. The roots of tyranny and oppression can amass great evils. From those evils can come the condemnation of the innocent, the defamation of a good name, the confiscation of property and the alienation or destruction of a family. We have been told the Truth and the Way to destroy evil from the ruler and creator of all, you overcome evil with good and you never repay evil for it's evil. So I implore you with the greatest convictions that I can muster, grab hold of the weeds that are destroying our nation, take them by the roots of their evil and let's extract them from our great nation!

We who are free can only boast in the freedoms that are real and not an illusion. We are each only as free as the freedoms that are extended to all and not simply some. Any time a freedom is demanded or stolen from one, through justification or ignorance, that freedom and right is lost to all and not simply the target of scorn and punishment. Any freedom which can be removed from one, can be removed from all and is no longer a freedom, but an illusion of freedom. Evil shows no favoritism, when evil is given birth, it becomes a thief and once a thief, we all must bear the consequences of it's evil thierery.

Vengeance solves nothing, casting blame fails to grasp the greater message and our mutual hope should be reconciliation, not just with each other, but with the

LI-5

faith in the source of our nations foundation. We are a nation of laws and those laws are essential to maintaining order a peace, but more importantly, we are a nation founded on faith. We must return to the faith of our designed system, a system that, sometimes a guilty person may appear to be set free, but more importantly, a system that if utilized properly, innocent people will not be punished. Today, as of this moment, I can tell you, and I bear my own witness testimony and as God is my witness as well, innocent people are being punished, because the system is broken and it is never acceptable, not in any country, state, city or household for an innocent person to be wrongfully or illegally imprisoned.

Ignorance is not a defense. Simply because you do not understand the Law of Gravity or believe in the Law of God, does not mean that you are not bound by them. Lack of knowledge, resulting in a violation, does not eliminate you from the ramifications of such violations. The illegal and highly destructive acts perpetrated by the Justice System, although I do not believe were intentional or malicious, does not negate their existence. Crimes done in secret and in the dark are still crimes and justice still deserves to be rendered however, as the petitioner, I bear great responsibility in that, "God desires mercy and not sacrifice." Therefore, peaceful resolution and mercy for your ignorance, I offer to you.

In closing, as our brother James tells us in his



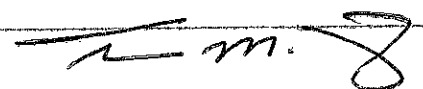
LI-6

letter, "It is sin to know what you ought to do and then choose to not do it." Everyone makes mistakes, no one is perfect, but the difference between average and great, a sheep and a lion, is the ability to produce wisdom from one's mistakes. Everyone falls down, but only fools fail to stand back up. A repentant sinner is always forgiven when his repentance is sincere and a new course is chartered, but woe to anyone who in their pride and arrogance remains blind and cannot feel sorrow and compassion for the destruction they themselves have caused. May God in His righteous judgement have mercy on such souls.

This letter has been prepared in the writting of my own hand, but the devastation exists through the lives and painful experiences of each and every single member of the attached petitioner list. Not 1 person, Not 1 marriage, Not 1 family, Not 1 household, Not 1 city, Not 1 State can claim that the violations of the rights, presented and proven within the argument presented, has not effected them somewhere and in someway of their lives.

When freedom is robbed from those who are free, truly I tell you that, everyone pays for it, whether they realize it or not.

Respectfully & Peacefully  
a Servant of Justice,



Tanawah M. Downing